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6	Attorneys for Applicant	
7	HYBE Co., Ltd.	
8	UNITED STATES DISTRICT COURT	
9		
10	NORTHERN DISTRICT OF CALIFORNIA	
11	SAN FRANCISCO DIVISION	
12		
13	In re Ex Parte Application of HYBE) CASE NO. 3-24-mc-80117
14	Co., Ltd.,)) DECLARATION OF GWANG SU
15	Applicant.) CHOI IN SUPPORT OF) APPLICANT'S <i>EX PARTE</i>
16) APPLICATION FOR AN ORDER) PURSUANT TO 28. U.S.C. § 1782
17) AUTHORIZING DISCOVERY IN
18) AID OF A FOREIGN) PROCEEDING
19)
20		
21		
22	I, Gwang Su Choi, declare that:	
23	1. I am more than 18 years of age, am competent to testify on the matters stated in	
24	this declaration, and I have personal knowledge of the matters stated herein, unless expressly	
25	stated otherwise.	
26	2. This declaration is in support of the Applicant's Ex Parte Application for an	
27	Order Pursuant to 28 U.S.C. § 1782 Authorizing Discovery for Use in a Foreign Proceeding	
28	("Application").	
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- 3. I am the legal counsel of HYBE Co., Ltd. ("HYBE" or "Applicant"), a multinational entertainment corporation established in February 2005 under the laws of the Republic of Korea ("Korea"). HYBE's principal place of business is in Seoul, Korea. At HYBE, one of my responsibilities is to deal with social media issues, including but not limited to false, defamatory or harassing statements made about the company.
- 4. HYBE is engaged in the entertainment business with a focus on managing and training K-pop singers, operating a record label, a talent agency, a music production company, event and concert management company, and music publishing house. HYBE's subsidiaries include BIGHIT MUSIC Co., Ltd. ("BIGHIT MUSIC") (formerly Big Hit Entertainment from 2005 to March 2021).
- 5. HYBE is a publicly traded company on the Korea Stock Exchange. Through its subsidiary BIGHIT MUSIC, HYBE employs an innovative management style that includes the wide use of social media to cultivate an audience and transform fan engagement and interest into sales, fandom energy and artist-related content. As a result, false allegations, defamatory and/or harassing statements made by anonymous individuals against HYBE, BIGHIT and/or its artists can cause damage to both those being attacked and the HYBE shareholders.
- 6. On April 28, 2024, ¹ an unidentified person using the X (formerly Twitter) username (also known as "handle") "@guiltyarchive" (the "**X User**") published numerous posts about HYBE. Attached as **Exhibit 1** is a true and correct screenshot of the posts as of April 2, 2024. The X User's X account with username "@guiltyarchive" is active as of May 10, 2024. The X User's X account has approximately 108,000 followers, and has posted as many as 4,889 posts in total as of May 10, 2024.
- 7. The X User's posts contain numerous false, defamatory and/or harassing statements about the Applicant. These include but are not limited to the following:
 - (a) X post dated April 28, 2024 (at around 5:32 a.m.): "Hella scary story about HYBE / The name of GFriend ³ album = Walpurgis Night / Walpurgis night = day of burning witches / GFriend disbandment date May 1 / LE SSERAFIM debut May 2 / Witches were burnt (disbanded)

¹ All date and time references are based on Korea Standard Time (KST).

² https://twitter.com/guiltyarchive.

³ Female K-pop group established by Source Music (which was acquired by HYBE). The group disbanded in 2021.

and the next day sserafim (angel) debuted – there is a year gap but just for ease of understanding" [Original Korean language: "하이브 관련 존나무서운 이야기 나옴 / 여자친구 앨범 이름 = 발푸르기스의 밤 / 발푸르기스의 밤 = 마녀를 불태우는 날 / 여자친구 해제일 5월 1일 / 르세라핌 데뷔 5월 2일 / 마녀를 태우고(해체) 다음날 세라핌(천사)가데뷔함 – 1년 간격은 있지만 이해 편의상 말한거임"]. It appears that this post has currently been deleted; and

- (b) X post dated April 28, 2024 (at around 11:46 a.m.): "I'm a reasonable person so if it was a total nonsense, I wouldn't have even posted it / [BTS] did their debut showcase in Ilchi Art Hall / 'Ilchi' in Inchi Art Hall is related to DahnWorld ⁴ founder" [Original Korean language: "저도 어지간한 사람이라 아예 허황된 개소리같았으면 올리지도 않았음 / 데뷔 쇼케이스도 일지아트홀에서 했는데 / 일지아트홀의 일지는 단월드 창시자의 호임"]. It appears that this post has currently been deleted.
- 8. The X User's posts have inflicted and continue to inflict significant reputational damage on the Applicant. To date, HYBE's efforts to locate this anonymous person(s) by searching publicly available information has not revealed the true identity of the X User.
- 9. On May 2, 2024, the Applicant filed a criminal complaint against the anonymous X User with the Seoul Yongsan Police Station in Seoul, Korea ("**Korean Criminal Matter**") for publishing the X posts. The Applicant is claiming defamation and crime of business interference against the X User under the laws of Korea.
- 10. Unless the true identity of the anonymous X User is revealed, the Applicant will not be able to pursue the Korean Criminal Matter. As a result, the Applicant intends to use the identity of the anonymous X User for the Korean Criminal Matter.
- 11. The anonymous X User's false, defamatory and/or harassing public statements, including but not limited to those in Exhibit 1, have caused irreparable harm to HYBE's business and shareholders. We look forward to identifying the person(s) responsible for these statements so

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that our rights can be recognized by the Korean courts. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on May 14, 2024 GWANG SV CHOIL GWANG SU CHOI ⁴ Meditation entity in Seoul, Korea that is also rumored to be a religious cult. There were false rumors that HYBE had ties with DahnWorld but both DahnWorld and HYBE have officially denied such rumors.

STREAM|KIM

ATTORNEYS AT LAW 3403 TENTH STREET, STE 700 RIVERSIDE, CA 92501 951-783-9470

[Korean original]

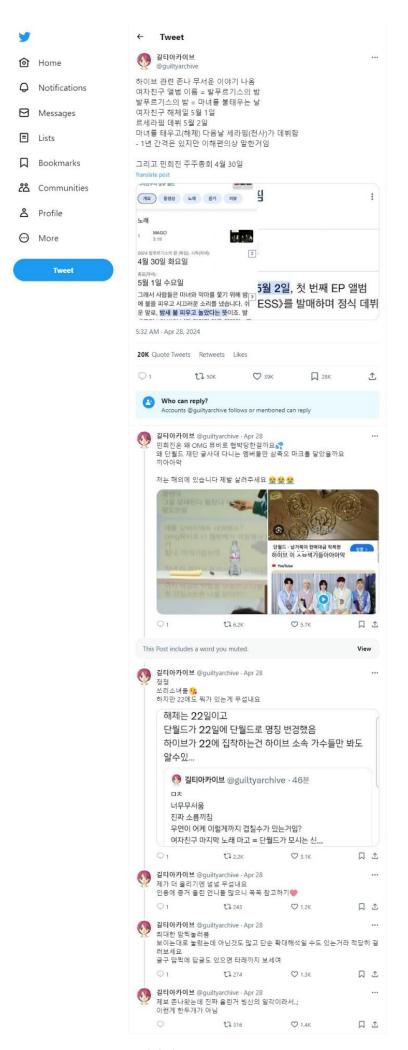
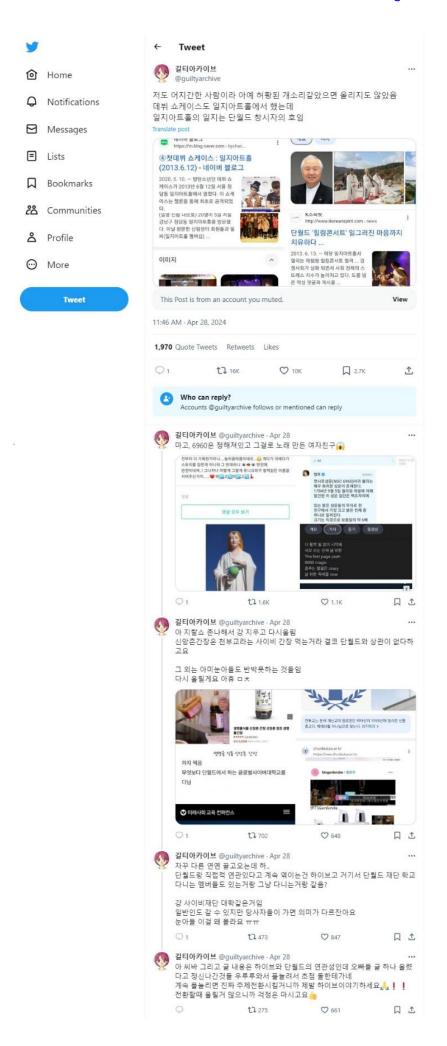


Exhibit 1

[Korean original]



[English translation]

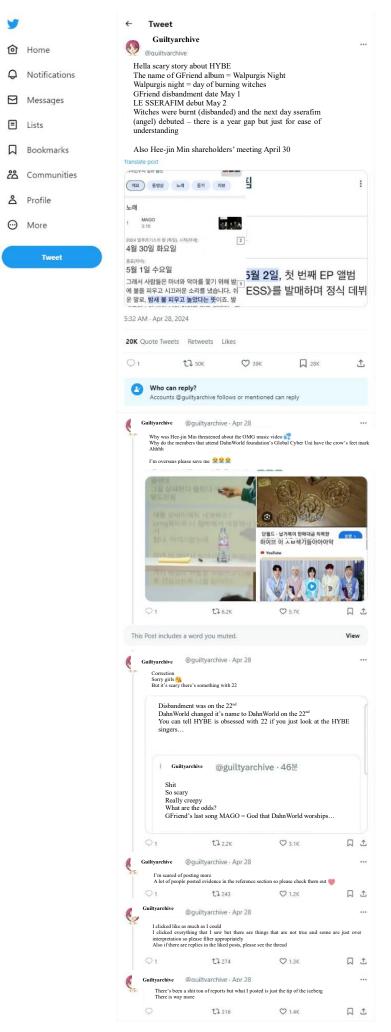


Exhibit 1

[English translation]

